



Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT WEDNESDAY, MARCH 31, 2021

Board members present: Richard Conescu, Patrick Dwyer, Lynn Christensen, Ben Niles and Rod Buckley

Board members absent: Alternate Drew Duffy

Staff present: Robert Price, Planning & Zoning Administrator

1. Call to Order

Richard Conescu called the meeting to order at 7:04 p.m.

2. Roll Call

Richard Conescu read the procedures and processes for the virtual meeting. Rod Buckley read the preamble.

- 3. Colby Perham (petitioner/owner)** – Variances under Section 3.05 of the Zoning Ordinance to permit a detached garage 8.6 feet from the side property line whereas 15 feet is required and 20 feet from the rear property line whereas 40 feet is required. The parcel is located at 8.5 Seaverns Bridge Road in the R-1 (Residential, by soils) and Aquifer Conservation Districts. Tax Map 2A, Lot 020-02. Case # ZBA 2021-03.

Petitioner was represented by: Colby Perham, petitioner

Public Comment was received via email from: Milada & Francis Grossi, 15 Seaverns Bridge Road.

The Board voted 5-0-0, on a roll call vote, to grant the variance, on a motion made by Patrick Dwyer and seconded by Lynn Christensen.

- 4. Ron Dupont (petitioner) and Streif, LLC (owner)** – Variance under Section 3.02, Note 6 of the Zoning Ordinance to permit a building canopy 18 feet from the Daniel Webster right-of-way whereas 22 feet was previously approved by variance. The parcel is located at 406 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation and Elderly Housing Overlay Districts. Tax Map 5D-4, Lot 099. Case # ZBA 2021-04.

Petitioner was represented by: Matt Peterson, Keach-Nordstrom Associates, Inc.

There was no public comment.

The Board voted 5-0-0, on a roll call vote, to grant the variance, with conditions, on a motion made by Ben Niles and seconded by Lynn Christensen.

- 5. Merrimack Parcel A, LLC (petitioner) and Merrimack Park Place Condominium (owner)**
– Variance under Section 2.02.4(D) of the Zoning Ordinance to permit a mixed-use development Conditional Use Permit (CUP) to be sought from the Planning Board at a higher residential density than was originally approved by variance (in 2015) on a lot in the I-2 (Industrial) District. The parcel is located at 10 Premium Outlets Boulevard in the I-2 (Industrial), Aquifer Conservation Districts and Wellhead Protection Area. Tax Map 3C, Lot 191-02. Case # ZBA 2021-05.

Petitioner was represented by: Dave Fenstermacher, VHB, Inc.; Tom (Jay) Leonard, Welts, White & Fontaine, PC.

Public Comment was received via email from: Vincent Cosco, General Manager, Merrimack Premium Outlets;

Public Comment was received from: Michael Mills, 7 Arbor Street.

The Board voted 4-1-0, on a roll call vote, to grant the variance, with conditions, on a motion made by Rod Buckley and seconded by Lynn Christensen. Patrick Dwyer voted in opposition.

- 6. Discussion/possible action regarding other items of concern**

Discussion only.

- 7. Approval of Minutes – January 27, 2021**

The Board voted 3-0-2, on a roll call vote, to approve the minutes of January 27, 2021 as presented, on a motion made by Patrick Dwyer and seconded by Ben Niles. Lynn Christensen and Rod Buckley abstained.

- 8. Adjourn**

The Board voted 5-0-0 to adjourn at 8:57 p.m. on a motion made by Rod Buckley and seconded by Lynn Christensen.